

United States Senate

WASHINGTON, DC 20510

August 5, 2026

The Honorable Todd Blanche
Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave, SE
Washington, DC 20240

Dear Acting Attorney General Blanche and Secretary Mullin:

The 2026 general election will be held on Tuesday, November 3, less than 90 days away. We are writing to remind you that any efforts directing states to conduct mass voter purges, including by using the deeply flawed Systematic Alien Verification for Entitlements (SAVE) program to purge voter rolls, would violate the 90-day “quiet period” mandated by the *National Voter Registration Act of 1993* (NVRA).¹

This long-standing prohibition includes providing states with any incomplete and unverifiable voter roll analysis conducted by the Department of Homeland Security’s (DHS) SAVE program, the use of which has also been enjoined by a D.C. federal district court.² Relatedly, in light of this prohibition, the Department of Justice (DOJ) should drop its ongoing litigation to compel states to provide access to their voter registration lists and acquiesce to unlawful federal list maintenance. While we have previously expressed our concern about these tactics, we remind you of the settled law protecting voters in the lead up to an election and urge you to cease these efforts immediately.

Under the NVRA, election officials are required to complete any systematic removal of ineligible voters 90 days before Election Day. This statutory protection was included to protect eligible voters who may be — and in many cases have been — erroneously removed as part of state voter list maintenance activities.³ In various lawsuits, federal courts have ruled against states that attempted systemwide voter list removals during the “quiet period,” including those made under the pretext of removing noncitizen voters.⁴ Outside the 90-day quiet period, voter list maintenance is an important function, but

¹ 52 U.S.C. §. 20507(c)(2)

² *League of Women Voters v. U.S. Dep’t of Homeland Sec.*, No. 25-cv-3501 (SLS), 2026 WL 1784297 (D.D.C June 22, 2026)

³ Nicholas Kerr & Elise Spenner, *System that DHS is Urging States to Use to Assess Voter Rolls Known to Return Faulty Results: Reports*, ABC News (July 19, 2026), <https://abcnews.com/Politics/system-dhs-urging-states-assess-voter-rolls-return/story?id=134863557>

⁴ See *Mi Familia Vota v. Peterson*, No. 2:22-cv-00509-SRB (9th Cir. 2025); *League of United Latin Am. Citizens of Ariz. v. Reagan*, Doc. 37, No. 2:17-cv-4102 (D. Ariz. 2018)

noncitizen voting remains extremely rare. Federal law addresses these incidents through criminal penalties, including financial penalties and imprisonment.⁵

Over the last year, the demonstrated inaccuracies of DHS's modified SAVE program have been proven to result in the removal of eligible voters from the voter rolls prior to the "quiet period."⁶ On June 22, 2026, following several months of litigation in *League of Women Voters v. Department of Homeland Security*, a D.C. federal district court set aside and vacated the 2025 modified SAVE program, finding it was "contrary to law, arbitrary and capricious, in excess of statutory authority, and without observance of procedure required by law."⁷ The court ordered DHS to undo the newly established bulk upload feature and dismantle its connection to sensitive Social Security Administration data.⁸

Given this ruling, Secretary Mullin's continued promotion of the SAVE program for voter list maintenance purposes during a July 17, 2026, press conference was inappropriate, as were his unsupported claims that multiple states have significant noncitizen voter registrations.⁹ Even more alarmingly, DHS is attempting to condition Homeland Security Grant Program funds that protect Americans from disasters and terrorist attacks on use of the SAVE program.¹⁰ Therefore, we must re-emphasize that current use of the SAVE program for list maintenance is illegal, and efforts to coerce states to conduct mass voter purges during the "quiet period" are also illegal under the NVRA, despite DOJ arguments to the contrary in recent court filings.¹¹

⁵ 18 U.S.C. § 611(b)

⁶ Jen Fifield & Zach Despart, *A Federal Tool to Check Voter Citizenship Keeps Making Mistakes. It Led to Confusion in Texas*, *The Texas Tribune* (Feb. 13, 2026), <https://www.texastribune.org/2026/02/13/save-voter-citizenship-tool-mistakes-confusion/>.

⁷ *League of Women Voters v. U.S. Dep't of Homeland Sec.*, No. 25-cv-3501 (SLS), 2026 WL 1784297 (D.D.C. June 22, 2026) at *3

⁸ *League of Women Voters* at *29.

⁹ Press Conference, Markwayne Mullin, U.S. Dep't of Homeland Sec. Secretary, Briefing on Election Integrity Efforts, YouTube (Jul. 17, 2026) <https://www.youtube.com/watch?v=jjuVaRAEpe4>

¹⁰ Fed. Emergency Mgmt. Agency, U.S. Dep't of Homeland Sec., Fiscal Year 2026 Homeland Security Grant Program: Notice of Funding Opportunity, Funding Opportunity No. DHS-26-GPD-067-00-98 (June 24, 2026), https://www.fema.gov/sites/default/files/documents/fema_gpd_hsgp-nofo-fy2026.pdf; Fed. Emergency Mgmt. Agency, U.S. Dep't of Homeland Sec., Fiscal Year 2025 Grant Programs Directorate Information Bulletin, No. 569, (June 8, 2026). https://www.fema.gov/sites/default/files/documents/fema_rsl_gpd_ib-569-border-security-election-security_06082026.pdf.

¹¹ *United States v. Raffensperger*, No. 1:26-cv-485-ELR (N.D. Ga. June 5, 2026), ECF No. 121, United States' Reply in Support of Its Motion for Emergency Ruling at *7 ("Second, the NVRA's 90-day quiet period, 52 U.S.C. §§ 20507(c)(2), does not foreclose relief. . . That provision would not prevent a state like Georgia from investigating and removing ineligible people in an individualized fashion if the United States alerted the State of the possibility that people on their rolls were ineligible to vote."); see also *United States v. Benson*, No. 26-1225, (6th Cir. Mar. 10, 2026), ECF No. 19, United States' Reply to Defendant-Appellees' Response in Opposition to United States' Emergency Motion to Expedite at * 4

The DOJ should also drop its litigation to obtain state voter rolls and its continued threats to prosecute election officials.¹² As you know, DOJ has lost *every* federal case seeking to obtain states' unredacted voter lists so far.¹³ We remain deeply opposed to the waste of taxpayer funds and attacks on state election officials involved with DOJ's continued attempts to compel states to hand over unredacted voter rolls. The Trump Administration has done nothing to address concerns that this is all in service of an effort to create a nationwide voter file to be shared across the Executive Branch — and possibly with other unauthorized, partisan actors.¹⁴ At an absolute minimum, DOJ must abstain from any unlawful attempts to pressure states into conducting large-scale voter purges during the 90-day “quiet period.”

Please confirm your agencies will comply with the NVRA, and any relevant court orders, no later than August 7, 2026. Any continued actions that may directly or indirectly coerce or assist states in conducting sweeping voter purges that violate federal law and infringe on Americans' right to vote are unacceptable.

Sincerely,



Alex Padilla
United States Senator



Charles E. Schumer
United States Senator



Richard J. Durbin
United States Senator



Richard Blumenthal
United States Senator

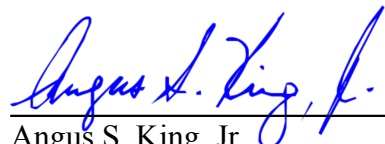
¹² Jessica Huseman, *Department of Justice warns election officials they could be criminally charged over noncitizen voters*, VoteBeat (Jul. 7, 2026), <https://www.votebeat.org/national/2026/07/07/trump-department-justice-letter-noncitizens-voter-rolls-election-officials/>

¹³ Joey Fox, *Federal Judge Rejects DOJ Attempt to Obtain Unredacted NJ Voter Rolls*, Politico (Jul. 29, 2026), <https://www.politico.com/news/2026/07/29/judge-rejects-doj-obtain-nj-voter-rolls-01015607>

¹⁴ Natalia Contreras, *Voting Rights Groups Sue Trump Administration in Federal Court*, VoteBeat (Apr. 21, 2026), <https://www.votebeat.org/national/2026/04/21/voting-rights-groups-lawsuit-trump-department-justice-state-voter-roll-requests>; Jude Joffe-Block, *The Justice Department Plans to Share Sensitive Voter Data with Homeland Security*, NPR (Mar. 27, 2026), <https://www.npr.org/2026/03/27/nx-s1-5764266/voter-data-trump-doj-dhs>; Kyle Cheney, *Trump Administration Concedes DOGE Team May Have Misused Social Security Data*, Politico (Jan. 20, 2026), <https://www.politico.com/news/2026/01/20/trump-musk-doge-social-security-00737245>



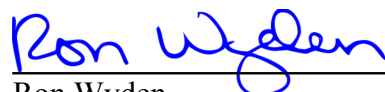
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Angus S. King, Jr.
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Amy Klobuchar
United States Senator



Ron Wyden
United States Senator



Tina Smith
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Jeffrey A. Merkley
United States Senator



Sheldon Whitehouse
United States Senator



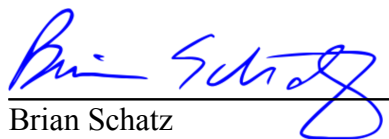
Maria Cantwell
United States Senator



Adam B. Schiff
United States Senator



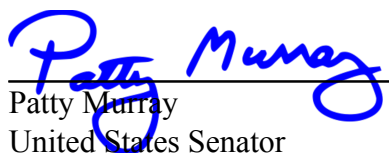
Jeanne Shaheen
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Mark R. Warner
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Patty Murray
United States Senator



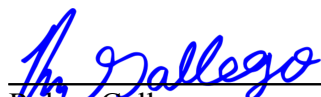
Tim Kaine
United States Senator



Lisa Blunt Rochester
United States Senator



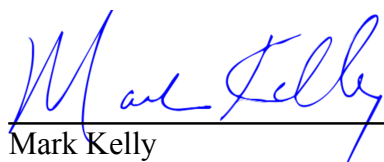
Martin Heinrich
United States Senator



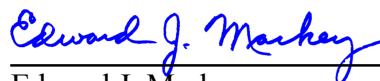
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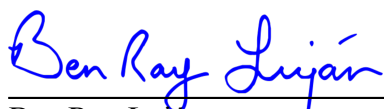
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United States Senator



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